



Request for City Council Committee Action from the Department of Public Works

Date: April 1, 2014

To: Honorable Kevin Reich, Chair Transportation & Public Works Committee

Referral To: Honorable John Quincy, Chair Ways & Means Committee

Subject: **Changes on Minneapolis Public Works Sidewalk Reconstruction
Assessment Roll for payable 2014 tax files.**

Recommendation:

- A. Pass a resolution cancelling a sidewalk repair special assessment for property identified as PID 08-028-24-31-0072 at 4325 Zenith Av S for payable 2014. Direct the Sidewalk Division to refund the principal and interest installments collected on prior years' property taxes.
- B. Authorize a refund in the amount of \$238.57 from 04100-9010939-365004 for principal and interest installments collected from 2010 to 2013.

Previous Directives: None

Department Information:

Prepared by: Suzette Hjernstad, Supervisor, PW Special Assessment Office 643-2401
Don Elwood, P.E., Director, Transportation Planning & Engineering 673-3622

Approved by: _____

Steven A. Kotke, P.E., Director of Public Works

Presenters in Committee: Suzette Hjernstad, PW Special Assessment Office

Financial Impact

Action is within current department budget.

Community Impact

City Goals: Maintain the physical infrastructure to ensure a healthy, vital and safe city

Supporting Information:

Each year the Public Works Department transmits numerous assessment rolls to the County to be levied to the next year's property taxes statements. The assessment rolls are certified to Hennepin County by November 30th of the year.

The purpose of this letter is to request cancellation of the last installment of a Public Works Department sidewalk repair special assessment for payable 2014. The property is located at 4325 Zenith Ave S and identified by Property ID No. 08-028-24-32-0072. The amount to be cancelled is \$55.27 and is the last of five installments.

This property was included on the 2009 sidewalk assessment roll that was levied to taxes beginning in 2010. The total amount of the assessment was \$259.84. Principal and interest installments for this assessment were collected with 2010 through 2013 property taxes. The owners, Dennis and Patricia Fleming paid the assessment in full on September 2, 2009 as evidenced in Sidewalk Division records and a copy of the cancelled check. The payment was not reported to the special assessment office to be removed from the assessment roll before certification to Hennepin County. This omission was brought to our attention when the property owner recently contacted Public Works to inquire about the assessment on their 2014 property tax bill.

We request that in addition to cancelling the last installment of the sidewalk repair assessment, that the Sidewalk Division refund the principal and interest installments collected on 2010 through 2013 property taxes in the amount of \$238.57.

Under the authority of Chapter 10 of the Minneapolis City Charter, the City Council assesses benefited properties for various improvement projects. Chapter 10, Section 15 of the City Charter further provides that the City Council may, by resolution, direct the County Auditor of Hennepin County, to cancel, on any record where the same appears, any special assessments therefore assessed and levied by said City Council, whether because the assessment was irregular or erroneous.

T&PW & W&M – Your Committee recommends passage and summary publication of the accompanying Resolution directing the Hennepin County Auditor to cancel the levied 5-year sidewalk repair assessment on the parcel identified by Property ID No 08-028-24-32-0072 for taxes payable in 2014 and the Sidewalk Division be authorized to refund the principal and interest installments collected on 2010 through 2013 property tax statements.

Reich

Cancellation of Minneapolis Public Works

Sidewalk Repair Special Assessment

Directing the Hennepin county Auditor to cancel the special assessment for sidewalk repair improvements for the payable 2014 tax file described hereinafter.

Whereas, in accordance with Chapter 10 of the Minneapolis City Charter, The City Council of the City of Minneapolis passed Resolutions in 2009 adopting the assessment rolls as prepared by the City Engineer and ordered the transmittal of certified copies of the assessment rolls to the Hennepin County Auditor for collection to begin on the 2010 real estate tax statements; and

Whereas, there is the following described assessment that is erroneously being carried on the real estate tax statement due to a full prepayment of the assessment.

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That pursuant to the provisions of Chapter 10, Section 15 of the Minneapolis city Charter, the Hennepin County Auditor is hereby directed to cancel the following levied 5-year term special assessment from the 2014 tax statement:

<u>LEVY</u>	<u>PROJECT</u>	<u>PROPERTY ID</u>	<u>ORIGINAL AMT</u>
01052	10S05	08-028-24-32-0072	\$259.84

Be It Further Resolved that the Sidewalk Division is hereby directed and authorized to request the refund the principal and interest installments collected on the 2010 through 2013 property tax statements to the property owners in the amount of \$238.57 from 04100-9010939-365004.